

REMARKS/ARGUMENTS

Claims 1, 9, 17-19 and 25 remain pending herein.

It is respectfully submitted that entry of the above amendments would be proper ~~under~~ 37 C.F.R. §1.116 because the amendments (1) address an objection under 35 U.S.C. §132 ~~and~~ a rejection under 35 U.S.C. §112, first paragraph, in the manner recommended in the December 21, 2004 Office Action, thereby eliminating those issues, (2) do not raise any ~~new~~ issues which would require further search and/or consideration, and (3) as discussed below, place this application in condition for allowance. Entry of the above amendments is therefore requested.

The Applicants thank Examiner Foster for the telephone message on March 3, 2005, confirming that the amendments contained in the Amendment filed September 14, 2004 ~~have~~ been entered.

In response to the objection to the Amendment filed September 14, 2004, the paragraph in the original specification on page 38, lines 13-24, has been amended as set forth above in order to eliminate the subject matter asserted in the December 21, 2004 Office Action to constitute new matter. Accordingly, the objection has been rendered moot. It is respectfully requested that the U.S. PTO reconsider and withdraw this objection.

Claims 1, 9, 17-19 and 25 were rejected under 35 U.S.C. §112, first paragraph.

The Office Action contains a statement that the recited ring compound containing at least one nitride in a ring is not limited to an organic base as originally recited in claim 1. In response, claim 1 has been amended as set forth above to recite that the ring compound comprises an organic base containing at least one nitride in a ring, thereby rendering this rejection moot. It is respectfully requested that the U.S. PTO reconsider and withdraw this rejection.

Claims 1, 9, 18 and 19 were rejected under 35 U.S.C. §102(e) over U.S. Patent Publication No. 2001/0026890 (Ono '890).

Ono '890 discloses an electrolyte composition comprising a polymer formed by polymerizing a monomer having the formula set forth in the Abstract. Q represents a nitrogen-containing aromatic heterocyclic atomic group which can form a cation and X^- represents an anion. X^- can be a halogen anion (Cl^- , Br^- , I^-) (Ono '890, paragraph [0046]).

The Office Action, however, does not refer to any compound in Ono '890 which contains a strong acid unitarily combined with an organic base. Representative examples of compounds according to the present invention comprising an organic base and an inorganic acid unitarily combined are shown in page 17 (Chemical Formula I), page 18, (Chemical Formulas II-V) and page 19 (Chemical Formula VI). Each of these compounds clearly comprises a strong acid and an inorganic base unitarily combined in a molecule.

Ono '890, on the other hand, does not disclose or suggest any compounds which include a strong acid unitarily combined in a molecule. The mere presence of halogen anions, e.g., chlorine and iodine, is clearly not the same as the presence of HCl or HI, nor do the compounds within the disclosure of Ono '890 in which X^- is Cl^- or I^- contain a strong acid (i.e., HCl or HI), as would be readily understood by persons of skill in the art.

Accordingly, it is respectfully requested that the U.S. PTO reconsider and withdraw this rejection.

Claims 1, 9 and 17 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,495,067 (Ono '067) in view of Linden, "Handbook of Batteries".

Ono '067 discloses an electrolyte containing at least one liquid crystal compound represented by formula IA, shown in Ono '067, col. 3, lines 57-63. In this formula, X_{111}^-

represents an anion, which can be a halide anion, e.g., Cl^- , Br^- or I^- (Ono '067, col. 22, lines 53-61).

The Office Action does not refer to any compound in Ono '067 which contains a strong acid unitarily combined with an organic base, as Ono '067 does not disclose or ~~suggest~~ any compounds which include a strong acid unitarily combined in a molecule. As noted above, the mere presence of halogen anions, e.g., chlorine and iodine, is clearly not the same as the presence of HCl or HI, and the compounds within the disclosure of Ono '067 in which X is Cl^- or I^- do not contain a strong acid.

Linden is relied on in the Office Action for alleged disclosure of constructing lithium secondary batteries in a spirally wound configuration in order to optimize rate capability. Accordingly, the alleged disclosure in Linden relied on by the U.S. PTO would not overcome the shortcomings of Ono '067 as attempted to be applied against claim 1, from which claims 9 and 17 depend. Accordingly, it is respectfully requested that the U.S. PTO reconsider and withdraw this rejection.

Claim 25 was rejected under 35 U.S.C. §103(a) over Ono '890 in view of U.S. Patent No. 5,700,597 (Zhong '597).

Zhong '597 is relied on in the Office Action for alleged disclosure of a lithium battery as a high energy density source for an electric vehicle. Accordingly, the alleged disclosure in Zhong '597 relied on by the U.S. PTO would not overcome the shortcomings of Ono '890 as attempted to be applied against claim 1, from which claim 25 depends. Accordingly, it is respectfully requested that the U.S. PTO reconsider and withdraw this rejection.

Claim 25 was rejected under 35 U.S.C. §103(a) over Ono '067 in view of Linden, further in view of Zhong '597.

Zhong '597 is relied on in the Office Action for alleged disclosure of a lithium battery as a high energy density source for an electric vehicle. Accordingly, the alleged disclosure in Zhong '597 relied on by the U.S. PTO would not overcome the shortcomings of Ono '067 and Linden as attempted to be applied against claim 1, from which claim 25 depends. Accordingly, it is respectfully requested that the U.S. PTO reconsider and withdraw this rejection.

In view of the above, claims 1, 9, 17-19 and 25 are in condition for allowance.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

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Date



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